IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

LETTERS PATENT APPEAL NO.30 OF 2006
IN
WRIT PETITION NO.6312 OF 2005

M/s.Mahindra & Mahindra Limited. Appellant
vs.
V.M.Deshmukh & ors. Respondents

Mr.C.U.Singh, Senior Advocate with Ms.Sushma Joshi
i/b.M/s.Haresh Mehta & Co. for the appellant.

Mr.V.P.Patil for the respondent no.1.

CORAM : R. M. LODHA &
A.S.BAGGA, JJ.

DATED : 27th June, 2006

P.C.

After having heard Mr.C.U.Singh, the senior counsel for the appellant and Mr.V.P.Patil, the counsel for the respondent no.1, in the light of the broad consensus that emerged during the course of motion hearing, we dispose of this appeal by the following order:

(i) In lieu of reinstatement, as ordered by the Labour Court, Nashik in its order dated 29th December, 2003, the appellant shall be at liberty to deposit with the Registry of this court all the arrears of wages that the respondent no.1 would have got had he been reinstated for the

period from 1st January, 2004 till 31st May, 2006 within four weeks from today.

(ii) The respondent no.1 shall be at liberty to withdraw the said amount on furnishing the security to the satisfaction of the Registrar (Judicial).

(iii) If security to the satisfaction of the Registrar (Judicial) is not furnished by the respondent no.1 within one month from the date of intimation of the deposit by the appellant, the amount so deposited shall be invested in the fixed deposit of any Nationalised Bank initially for a period of one year, renewable thereafter for the same period each time until disposal of the writ petition No.6312/2005.

(iv) For the month of June, 2006 and the subsequent months, the appellant shall pay monthly wages to the respondent no.1 in lieu of reinstatement by 10th of each succeeding month by Account Payee cheque and send the same at his residential

address as mentioned in the cause title of the writ petition.

(v) The payment so made by the appellant to the respondent no.1 shall be subject to the decision in Writ Petition No.6312/2005.

. Order accordingly.

(R.M. LODHA,J.)

(A.S. BAGGA,J.)